

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 13-19 are presently pending in this application, Claims 1-12 having been canceled without prejudice or disclaimer and Claims 13-19 having been newly added by the present amendment. Canceled Claims 1-12 have been redrafted as new Claims 13-19 to clarify subject matters and to better conform with U.S. claim drafting practice. Therefore, no new matter has been introduced.

In the outstanding Office Action, Claim 2 was objected to as being of improper dependent form; and Claims 1-12 were rejected under 35 U.S.C. §102(b) as being anticipated by Guzowski et al. (U.S. Patent 6,299,176). Since Claims 1-12 have been canceled in the present amendment, the objection and the rejections are now moot.

At the outset, Applicant respectfully requests acknowledgement of the claim to priority and priority document under 35 U.S.C. §119 filed August 22, 2003. Copies of the Official Filing Receipt, and of the date-stamped filing receipt indicating its filing, are provided with the present response.

Submitted herewith is a separate LETTER SUBMITTING DRAWING SHEETS, submitting for approval substitute Figure 8. Specifically, Figure 8 has been amended to add the legend "Background Art."

Before distinguishing the present invention from Guzowski et al., it is believed that a brief review of the subject matter of new independent Claim 13 would be helpful. In this regard, Claim 13 is directed to a gasket for a door mirror. For example, referring to the non-limiting embodiment of Figs. 1 and 2, the gasket for a door mirror includes a gasket plate 1 and a flexible seal lip 1G. The gasket plate 1 is formed in a predetermined shape to be

provided between a car body 2 and a mirror base 3 of the door mirror. The mirror base 3 is to be mounted on the car body 2. The flexible seal lip 1G protrudes on a surface 1B of the gasket plate 1 which faces to the car body 2. The flexible seal lip 1G is continuously formed annularly along an outermost circumferential portion 1C of the gasket plate 1. A tip part of the flexible seal lip 1G is inclined at a predetermined angle with respect to the surface 1B of the gasket plate 1.

The outstanding Office Action asserts that Guzowski et al. disclose a gasket as recited in the present application. Nevertheless, Guzowski et al. fail to disclose a gasket for a door mirror as recited in Claim 13 of the present application.

What Guzowski et al. disclose are, as a claimed invention, “sealing gaskets used for pipe joints in which a male spigot pipe section is installed within a mating female socket pipe section.”¹ Thus, Guzowski et al. do not disclose **a gasket for a door mirror** as recited in Claim 13. Further, Guzowski et al. disclose that “a pipe sealing gasket ...is designed for receipt within a groove provided within a socket end of a thermoplastic pipe[,]” and that “[t]he gasket includes a ring shaped elastomeric body”² Therefore, Guzowski et al. do not disclose that **a gasket plate is formed in a predetermined shape to be provided between a car body and a mirror base of the door mirror to be mounted on the car body,** as recited in Claim 13. Similarly, Guzowski et al. do not disclose **a flexible seal lip which protrudes on a surface of the gasket plate facing to the car body,** as recited in Claim 13.

Because Guzowski et al. do not disclose a gasket for a door mirror as recited in new independent Claim 13 of the present application, Claim 13 is clearly distinguishable from Guzowski et al. Therefore, Claim 13 is believed to be allowable.

¹ See Guzowski et al. at column 1, lines 6-8.

² See Guzowski et al. at column 2, lines 44-51.

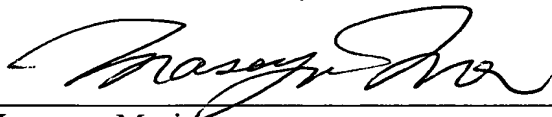
Substantially the same arguments as set forth above with regard to new independent Claim 13 also apply to new dependent Claims 14-18, which depend directly or indirectly from Claim 13. Accordingly, each of the dependent claims is also believed to be allowable.

Turning now to new independent Claim 19 of the present application, Claim 19 recites a door mirror assembly for a vehicle including a mirror base and a gasket. Substantially the same arguments as set forth above with regard to Claim 13 also apply to Claim 19 to the extent that Claim 19 includes substantially similar features to features recited in Claim 13. Therefore, Claim 19 is believed to be allowable.

Consequently, in view of the present amendment, it is respectfully submitted that this application is in condition for formal allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Masayasu Mori
Attorney of Record
Registration No. 47,301

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

Hiroyuki Yasuda
Registration No. 55,751

IN THE DRAWINGS

The attached sheet of drawings includes changes to Fig. 8. This sheet, which includes Fig. 8, replaces the original sheet including Fig. 8.

Attachment: One Replacement Sheet